

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

UNITED STATES OF AMERICA §  
§ NO. 1:19-CR-101  
v. §  
§  
LARRY EARNEST TILLERY §

**ELEMENTS OF THE OFFENSE**

You are charged in Count One of the Information with a violation of Title 18, United States Code, Section 1957, Engaging in Monetary Transactions in Property Derived From Specified Unlawful Activity.

The essential elements which must be proven to establish the Title 18, United States Code, Section 1957 violation are:

*First:* that the defendant knowingly engaged in a monetary transaction;

*Second:* that the monetary transaction was of a value greater than \$10,000;

*Third:* that the monetary transaction involved criminally derived property;

*Fourth:* that criminally derived property was derived from specified unlawful activity, as described in the Information;

*Fifth:* that the defendant knew that the monetary transaction involved criminally derived property; and

*Sixth:* that the monetary transaction took place within the United States.

The term “criminally derived property” means any property constituting or derived from, proceeds obtained from a criminal offense.

You are charged in Count Two of the Information with a violation of Title 26, United States Code, Section 7201, Tax Evasion.

The essential elements which must be proven to establish the Title 26, United States Code, Section 7201 violation are:

*First:* That there exists a substantial tax deficiency owed by the defendant to the Internal Revenue Service, as charged;

*Second:* That the defendant committed at least one affirmative act to evade or defeat assessment or payment of the income taxes owed. An affirmative act includes any conduct the likely effect of which would be to mislead or conceal; and

*Third:* That the defendant acted willfully, that is, the law imposed a duty on the defendant, the defendant knew of that duty, and the defendant voluntarily and intentionally violated that duty.

Respectfully submitted,

JOSEPH D. BROWN  
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was delivered by electronic delivery to defendant's attorney on June 21, 2019.

/s/ Christopher Tortrice  
CHRISTOPHER TORTRICE